
WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

December 19, 2023, 9:00 a.m., Commission Board Room

1331 South Blvd., Chipley, FL 32428

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT
Alan T Bush	David Pettis, Jr.	Tray Hawkins	Wesley Griffin	David Corbin

1. PROCLAMATION

- 1.1 Call to Order – Chairman Pettis
- 1.2 Invocation – Chairman Pettis
- 1.3 Pledge

Present – Commissioners Bush, Pettis, Hawkins, Griffin, and Corbin. Also attending – Deputy Clerk Brantley, Clerk of Court, Lora Bell, County Administrator, Jeff Massey, and Attorney Milton, Fuqua & Milton, P.A.

2. ADOPT THE AGENDA

Addition – Electrical Permit for Existing Pole Barns (5.3) - Commissioner Hawkins

Commissioner Griffin offered a motion, seconded by Commissioner Bush, and unanimously carried to approve the agenda as amended.

3. ADOPT PREVIOUS MINUTES

3.1 Regular Meeting for November 16, 2023 - Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the minutes for 11/16/23.

3.2 Special Meeting for November 21, 2023 - Commissioner Hawkins offered a motion, seconded by Commissioner Bush, and unanimously carried to approve the minutes for 11/21/23.

4. NON-AGENDA AUDIENCE/PUBLIC PARTICIPATION - Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.”

- The Washington County Board of County Commissioners has expanded this provision to allow members of the community to speak on a topic which is not currently before the Board/Agenda. To do so the community members should, prior to the start of the meeting, sign the public participation form provided at the door of the commission room, and shall state their name and the topic on which they wish to speak. During the Non-Agenda Audience portion of the meeting, the individual shall be given up to three (3) minutes to speak.
- Each individual shall have three (3) minutes to speak about a proposition before the Board. Prior to the time a meeting has been called to order, should an individual or group wish to address an item which is on the agenda for consideration, the individual or group shall obtain, from the Commission Secretary or Clerk, a public

comment form and may write on the form their name and the agenda matter which they wish to address. The completed form(s) shall be returned to the Commission Secretary/Clerk, who shall provide the form(s) to the Chairperson. Should a particular group wish to address an item, they shall nominate a spokesperson to voice their ideas, comments, and concerns. In the event an individual wishes to speak on an item and has not signed up in advance, those who have signed shall be given priority.

- Any public comment before the board shall be directed to the Chairperson of the Board. It is not a question-and-answer period. Public comments concerning individual employees (other than those hired directly by the Board (County Administrator/County Attorney) shall not be entertained. Any comment, pros, or cons, regarding a county employee who does not report directly to the Board shall be addressed to the Human Relations Department or the County Administrator.

5. AGENDA ITEMS

5.1 Wacasey vs. Washington County – David Pettis, Jr., Chairman said the result of the mediation is to recommend that the board go ahead with the settlement about this lawsuit. – Commissioner Hawkins offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve to go ahead with the settlement about the Wacasey vs. Washington County case.

Present – Clerk Bell and Deputy Clerk Brantley

5.2 Request for approval of Washington County Pageant – Tray Hawkins, Commissioner told the board that Jordan Dominguez had reached out to them about the Peanut Pageant. For them to be a Peanut Qualifying Pageant, the board must approve Ms. Washington County. Jordan Dominguez would like to direct the pageant this year. She will need a letter of support saying that she will be the director of the pageant this year representing Washington County. The approval is needed before January 16.

County Attorney Milton said that anytime there are these types of events and money changing hands, there is the question of is the county affiliated with it. Will someone claim something was misappropriated or something like that? That is the primary concern from their standpoint.

Commissioner Bush said that it has been done in the past and there were no issues.

Commissioner Hawkins suggested addressing it on an annual basis if the board decides to go ahead with it.

Chairman Pettis clarified that the approval would mean appointing her as the representative of the pageant.

Commissioner Hawkins said that their approval gives her the okay to represent Washington County as the pageant director of Washington County Pageant for the peanut qualifier.

Chairman Pettis asked if a civic organization could do the same thing that they do, such as the Woman's Club.

Commissioner Hawkins said it must come from the Board of County Commissioners.

Commissioner Hawkins offered a motion, seconded by Commissioner Griffin to have Jordan Dominguez as the representative for Ms. Washington County to be a peanut qualifier.

Priscilla Brown asked if Jordan Dominguez would be the director or the participant.

Commissioner Hawkins said she would be the director.

Priscilla Brown asked if she volunteered for the position.

Commissioner Hawkins said yes. He does not know her personally, but she has been persistent.

Priscilla Brown confirmed that the pageant would be open for anyone to take part.

County Attorney Milton said that many of the surrounding areas do the same thing.

The motion carried unanimously.

5.3 Discussion of Power to Existing Pole Barns – Commissioner Hawkins said that per Florida Statute a building permit is required to put electrical service to an existing pole, no matter the age of the pole barn. They have encountered someone who is trying to put electrical service on an existing pole barn that is of age. According to the Building Department, a building permit must be bought.

Dana Whipple, Building Inspector said that is incorrect. It is his understanding that the individual has owned the property since 2003. Referring to aerial photos, it was not there in 2016 and appeared in 2019. The program at the Building Department has been the same for years, and there is no record of a permit being pulled or a land use done for a pole barn.

Commissioner Hawkins asked what the process is to have electrical to a pole barn that was on the property when a person bought it.

Dana Whipple said they look at it on a case-by-case basis. If you buy a property that has a violation attached to it, you buy the violation.

Commissioner Hawkins said a procedure needs to be in place instead of on a case-by-case basis.

Dana Whipple said that is what they typically do. They came in because they

wanted power. Why didn't they come in when they wanted to put up a pole barn?

Commissioner Hawkins said that he does not want an interpretation. It should be clear.

Dana Whipple said that he did not mean that. The building code clearly says in section 102 that a building permit shall be required. The only exemption there that addresses a pole barn is possibly a non-residential building/farm building on a farm, which is not the case.

Commissioner Hawkins asked how they would make it clear.

Dana Whipple said they adopted the Florida State Building Code in 2017 and they have adopted every addition.

Commissioner Hawkins asked how power could be put to an existing pole barn.

Dana Whipple said they must permit the structure even if it is an existing pole barn. It is an after-the-fact permit. They must go through the planning department to make sure they are not encroaching on setbacks and to make sure they are not set up in a flood zone. There are certain items that the planning department investigates and there is a fee for that. Once the approval is given from the land use, they will move on to the building department. A set of plans and an inspection will be needed.

Commissioner Hawkins said that he may have received bad information about this one but there are others where the same issue will be at hand.

Dana Whipple said many go up, but they reach a stopping point when they want power.

County Administrator Massey said the issue is everyone is not following the same rules.

Commissioner Griffin asked what the inspection process is for someone who buys property with a pole barn on it.

Dana Whipple said that he can only approve or look at what is above ground.

Commissioner Griffin asked if the person could pull a permit after the fact.

Dana Whipple said yes, and that is what his notes will reflect. They do not do destructive testing.

Commissioner Hawkins clarified that would mean going through the planning department first. How long is the process?

Dana Whipple said possibly a week assuming that it is an added accessory

structure.

Commissioner Griffin clarified that a person would go through the same process as someone building a new pole barn.

Dana Whipple said yes. The plans would need to be specific to what is on site. Engineered plans would have to be bought because the building code does not address pole barns.

Commissioner Corbin presented a scenario of a property that was bought that had an unpermitted pole barn on it.

Dana Whipple said it would likely need to be signed off by an engineer.

Commissioner Griffin said there is a grey area.

County Attorney Milton told the board there was a recent planning issue where an individual wanted to put up a barn/shed, which would be the fourth on the property which exceeded the added structures under the land development code. All that needs to be kept in mind. This is not to say that this instance affects that but considering the flood zone, setbacks, and number of added structures. This may not be a situation where someone has 10 acres and is putting a pole barn behind their house. It could be 1 acre that is right outside the city limits in a subdivision and 2/3 pole barns are being put up. It is not as simple as a pole barn on a farm.

Commissioner Hawkins asked what would happen if there was an existing pole barn there and the owner wanted a power pole.

Dana Whipple said they try to find out what the need is for.

Chairman Pettis asked if there was a way that an electrical permit could be obtained for an existing structure to run power to it.

Dana Whipple said it goes back to what the use is for.

The one that is being referred to is on a 4-acre parcel and does not meet the criteria of an ag exemption. It is not agricultural. It is an ag barn, but it is an accessory structure.

Chairman Pettis confirmed that the building permit and electrical permit work together.

Dana Whipple said the request was for an unpermitted structure.

Commissioner Griffin said that he receives a lot of calls about the process. The board needs to look at it and will need to put some thought into helping the people understand the process.

Dana Whipple said they have that.

County Administrator Massey said people do not come in and ask questions and when they come in, they expect to have this. This is going to carry over to a host of things. This matter needs to be consistent and should also be looked at.

Commissioner Griffin said they want people to come to Washington County and not have a hard time getting things done.

County Attorney Milton told the board this is something they hear in every municipality/county they represent. The argument is the same. They do not want to follow the process.

Commissioner Hawkins said the intent of the discussion today is to remove the grey area and prevent the employees from having to interpret the law. It is the board's job to set policies and procedures for the county. It is unfair to put employees in a situation where they must make decisions on a case-by-case basis. If there is a way the board can help the building department, that is what they are there for.

Commissioner Hawkins suggested County Administrator Massey meet with Dana Whipple and this item be discussed at a workshop. What are the needs of the building department to allow the department to run smoothly?

County Administrator Massey confirmed with Dana Whipple that when they have had discussions about these issues, he has supplied code/statutes to back it. Everything he is doing is following the code and statutes. If the board wants to address this, it will need to be addressed at that level. These conversations are going to recur if they are not handled consistently.

Chairman Pettis said that he agrees that a lot of this stems from people not going through the process. It is unfortunate if someone buys property with a structure that is not permitted but it is the owner's responsibility to fix it. Maybe they can work on this and figure some things out.

Commissioner Corbin said that a part of him would like to make a provision to help the people where there is one the building inspector can inspect without the plans. On the other hand, if that precedence is set, why would someone who is building a new one purchase building plans? Maybe the age of the building could be taken into consideration.

Dana Whipple said the same program had been used for tracking building permits on homes and accessory structures before he was employed with the county.

County Attorney Milton suggested the answer is to follow the county's code. That is the reason it is in place, which is what the building official is trying to implement and get the public to follow. The reason the code is in place is for safety and other

reasons to protect them from themselves.

Commissioner Hawkins said that they need clarity that it is being done the same way each time.

Commissioner Griffin told the board he had been contacted about animal control receiving comp time instead of overtime. This issue was cleared up a couple of meetings ago, directing that anybody who works after hours will receive overtime instead of comp time.

Commissioner Bush said the personnel policy should be adhered to.

Wendy White, Human Resources said that if it is a matter of life and safety or disaster, overtime is paid, otherwise it is comp time. It depends on the situation. If they are called out after hours, it should be due to an emergency.

County Administrator Massey said they are not being called out after hours unless it is an emergency. That was stopped some time back due to frivolous calls.

Commissioner Bush asked who decides whether a situation is an emergency.

Wendy White said that the decision was made by the supervisor.

County Attorney Milton said that it is his understanding that the reason the individuals involved in the Wacasey case were at the boat ramp was due to a bass tournament. What precautions can the county take in the future? One way that was discussed with the chairman was to have a special use permit for bass tournaments. That is something that the board needs to consider. If the board considers it, what the surrounding counties are doing can be researched. One concern is how it would be enforced on a weekend.

Commissioner Hawkins suggested putting up signs saying that the park is there for use and to please obstruct any obstacles that would hold the county harmless.

Commissioners Hawkins, Bush, and Griffin did not support the permit choice.

County Attorney Milton said the benefit to the special use permit would be that insurance could be required. Another choice is signage at each of the boat ramps warning of underwater objects, slippery slopes, etc.

There was no board support for event insurance.

6. ADJOURN